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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
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13  
14 IN RE: BEXTRA AND CELEBREX  
15 MARKETING SALES PRACTICES AND  
16 PRODUCT LIABILITY LITIGATION

MDL NO. 1699  
District Judge: Charles R. Breyer

17 Aldaberto Pineiro Rodriguez  
18 Plaintiffs,

STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE

19 vs.

Docket: 2438/06

20 Pfizer, Inc., et al.

Defendants.  
21

22 Come now the Plaintiff and Defendants, by and through the undersigned attorneys,  
23 pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of  
24 this action without prejudice with each side bearing its own attorneys' fees and costs.

25 Should Plaintiff or a representative of Plaintiff attempt to re-file claim against  
26 Defendants, they should do so only by re-filing in the United States District Court.  
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1 DATED: \_\_\_\_\_, 2006.

2  
3 By: \_\_\_\_\_

4 Attorneys for Plaintiff, Marc D. Grossman

5 DATED: 12.6, 2006.

6 GORDON & REES

7 By: \_\_\_\_\_

8 Stuart M. Gordon

9 Attorneys for Defendants

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11 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**  
12 **IT IS SO ORDERED.**

13 Dated: Dec. 12, 2006

14 Hon. Charles R. Breyer  
15 United States

